

**From:** Valden Longhurst  
**To:** Microsoft ATR  
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**Subject:** MS settlement

Regarding the Civil Action No. 98-1232 between the UNITED STATES OF AMERICA and MICROSOFT CORPORATION, I would like to exercise my right and voice my frustration. Microsoft is further extending their monopoly by showing no regard to either the court orders or the public sector.

I am an Operations Manager for Kiwi Publishing, located in Spokane, WA, and was recently effected by the Microsoft and Qwest "sell off/buyout" deal. We did not choose to have our Internet Service Provider changed, but without our concent and knowledge Qwest and Microsoft changed hundreds of consumer's telephone service without permission, which is illegal under Section 258 of the Telecommunications Act, 47 U.S.C. ?258.

As a direct result of this action, our business has suffered. This act forcefully prohibited us from contacting hundreds of our customers via e-mail because we were not using the more expensive and less functional Microsoft e-mail software. Our only option was to either individually write each customer or change ISP--both of which hurt us. Because of the time-limited circumstance the VERY time consuming task of manually contacting our hundreds of customers was our only real option.

In our efforts to remedy the situation, three times we called Microsoft and requested they help us use our old automated system of contacting our customers and were thrice told we could only use Microsoft products to send out any e-mails with no exception--which could only happen if we purchased their software.

Furthermore, since we were taken from Qwest's internet service and placed on the Microsoft Network our business internet service has been from terribly slow to completely stopping at times. Again, in our efforts to remedy the situation we were told in order to change to a new ISP, we would have call Qwest and Microsoft to CANCEL the internet service circuit and sign up anew for a different internet service circuit--again provided by Qwest! Now as an engineer in electronics engineering technology and a network administrator, I know a circuit cancellation and renewal is NOT required if you want to change an ISP. What is their motive? What agreement was signed to force that pretended requirement?

Clearly, Microsoft is still making monopolistic agreements with other companies (whether OEMs or not) and tramples the stipulations imposed by the courts under their feet. If anything has changed, Microsoft seems to be more willing to use its monopoly to harm our business and limit our choices than before the courts imposed sanctions upon them! What a gross disregard for our laws and lack of respect for their customers!

I add my voice that the proposed settlement (as is) will do nothing to stop Microsoft from turning their monopoly into a choke yoke for anyone--regardless of law and ethics. Obviously the proposed settlement is not forcing Microsoft to change. This country can not survive upon a total disregard of ethics. This is particularly so with such a large unethical company as Microsoft.

Will you hold our country to ethical standards by requiring our companies to live by ethical standards?

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